

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE LITIGATION**

THIS DOCUMENT RELATES TO:

*State of California, ex rel. Ven-A-Care v.
Abbott Laboratories, Inc., et al.*
Case No: 03-cv-11226-PBS

) **MEL No. 1456**
) **Master File No. 01-12257-PBS**
) **Subcategory Case No. 06-11337**
)
) **Judge Patti B. Saris**
)
) **Magistrate Judge**
) **Marianne B. Bowler**
)
)

SECOND AMENDMENT TO CASE MANAGEMENT ORDER NO. 31

Paragraph 9 of Case Management Order No. 31 is amended to read as follows:

9. Unless otherwise directed by the Court, the following deadlines shall apply from the date of entry of the instant Case Management Order. In instances where a particular deadline falls on a holiday or weekend, the deadline will be extended to the first business day following the holiday or weekend:

DEADLINE	ACTION
April 28-29, 2009	Parties to engage in mediation.
June 15, 2009	All fact discovery shall be completed.
June 30, 2009	Plaintiffs shall serve expert reports and other materials in compliance with Fed. R. Civ. P. 26(a)(2)(B).
July 30, 2009	Defendants shall serve expert reports and other materials in compliance with Fed. R. Civ. P. 26(a)(2)(B).
September 30, 2009	All expert depositions shall be completed.
November 25, 2009	Deadline to File Motions for Summary Judgment
December 21, 2009	Deadline to File Responses to Motions for Summary Judgment
January 15, 2010	Deadline to File Replies to Responses to Motions for Summary Judgment

DEADLINE	ACTION
January 29, 2010	Deadline to File Surreplies to Replies to Responses to Motions for Summary Judgment

The Court shall determine a date for a hearing on the motions.


PATTI B. SARIS
United States District Court Judge

*No brief shall be
larger than 30 pages.*